

**ANNUAL REPORT
OF THE
CENSUS DATA ADVISORY COMMITTEE**



**Indiana Legislative Services Agency
200 W. Washington Street, Suite 301
Indianapolis, Indiana 46204**

November, 2009

INDIANA LEGISLATIVE COUNCIL

2009

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Senator Timothy Lanane

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Legislative Services Agency

CENSUS DATA ADVISORY COMMITTEE

Membership Roster

Senators

**Sue Landske, Chairperson
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**Russ Stilwell
Boonville**

**Philip GiaQuinta
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**Kathy Richardson
Noblesville**

**Robert Behning
Indianapolis**

Staff

**Robert Rudolph
Attorney for the Committee**

**Chris Baker
Fiscal Analyst for the Committee**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

I. STATUTORY AND LEGISLATIVE COUNCIL DIRECTIVES

The responsibilities of the Census Data Advisory Committee are found in IC 2-5-19-19 which reads as follows:

"Sec. 19. The committee shall do the following:

(1) Advise and assist the Bureau of the Census in the preparation and organization of decennial census data for use by the general assembly in reapportioning the following:

(A) The house of representatives of the general assembly.

(B) The senate of the general assembly.

(C) The United States House of Representatives.

(2) Work with the Bureau of the Census in defining the boundaries of census blocks in Indiana.

(3) Coordinate Indiana's efforts to obtain an accurate population count in each decennial census.

(4) Work with other state and federal agencies to assist in the local review program conducted in Indiana.

(5) Work with the code revision commission to prepare legislation for introduction in the regular session of the general assembly that meets during the year of the effective date of the decennial census under IC 1-1-3.5 to propose amendments to Indiana law to reflect the population information obtained as a result of the decennial census.

(6) Study costs and other relevant aspects of acquisition by the state of a geographic information system.

(7) Make recommendations concerning changes or amendments to IC 3 (the elections code) to the general assembly, including legislation for the implementation and administration of the Help America Vote Act of 2002 (42 U.S.C. 15301 through 15545).".

The Legislative Council assigned the following additional responsibilities to the Committee:

"A. Legislative redistricting (SCR 95)

B. Use of electronic security protocols in vote centers (SR 114)"¹

1. See LEGISLATIVE COUNCIL RESOLUTION 09-01 (As Adopted July 27, 2009), SECTION 3.2.

II. INTRODUCTION AND REASONS FOR STUDY

The Committee met during the 2009 Interim to hear testimony about and consider the issues assigned to the Committee by the Legislative Council. Legislators and interested parties did not raise any other issues for the Committee's consideration.

III. SUMMARY OF WORK PROGRAM

The Committee met on September 29, October 20, and November 17. At the September 29 meeting, the Committee heard testimony regarding legislative redistricting and redistricting commissions. At the October 20 meeting, the Committee heard additional testimony about redistricting, the 2010 Census and the use of electronic security protocols in vote centers. The Committee met on November 17 to adopt this Annual Report.

IV. SUMMARY OF TESTIMONY

September 29 Meeting

At the September 29 meeting, Senator Mike Delph introduced the discussion of redistricting by explaining why he has introduced bills in previous sessions of the General Assembly to establish a commission to oversee legislative and congressional redistricting.

Mr. Justin Levitt, representing the Brennan Center for Justice, stated that the redistricting process should not protect the interests of legislators but the interests of their constituents. Mr. Levitt described the various procedures that state legislatures have developed for drawing legislative and congressional districts and discussed several redistricting concepts, including "communities of interest," contiguity, and compactness. He discussed the use of political data in the redistricting process. Mr. Levitt suggested that the following principles should guide redistricting: (1) The entity charged with drawing districts should have meaningful independence from political pressures. (2) The redistricting entity should be meaningfully diverse, politically, geographically, and demographically. (3) The legislation should give meaningful guidance to the redistricting entity for drawing district lines. (4) The redistricting process should be meaningfully transparent.

Mr. Peter Wattson, Senate Counsel, Secretary of the Senate (Legislative), State of Minnesota distributed several written items for the Committee's consideration.² Mr. Wattson also discussed the processes and principles relating to redistricting, including the concept of "nesting" legislative and congressional districts.

2. See the Minutes of the September 29 meeting for information regarding these materials.

The Committee also heard from Mr. Morton Marcus, who advocated for reforming Indiana's redistricting process.

October 20 Meeting

Secretary of State Todd Rokita began his presentation by outlining his proposal for redistricting reform, which included illustrations of various legislative districts.³ Secretary Rokita briefly explained each of the principles that undergird his proposal and presented a map of legislative districts that would follow those principles. Secretary Rokita discussed the concept of nesting legislative districts and the use of political data in the redistricting process.

The Committee heard Cathy McCully, Chief, Census Redistricting Data Office, United States Census Bureau, and received written materials from her. Ms. McCully discussed the materials, described the Census Bureau's time line preparing for and conducting the 2010 Census and delivery of data to states for use in redistricting. Ms. McCully discussed some of the problems the Census Bureau faces in finding hard-to-count populations and the strategies that the Bureau will use to count the individuals in those communities.

Mark Everson, Commissioner of the Indiana Department of Administration, spoke to the Committee in his capacity as Indiana's "Complete Count Coordinator." Mr. Everson explained the importance to Indiana in obtaining an accurate count of Indiana residents, discussed some of the obstacles faced in counting Indiana's population, and illustrated the efforts that the people he is working with use to make the 2010 Census successful in Indiana.

Maureen Bard, Office of Census Data, Legislative Services Agency, discussed the status of the Agency's work to prepare for the 2010 Census and the legislative and congressional redistricting that will follow.

Senator Mike Young discussed his concerns relating to the security of the voting process in vote centers.

November 17 Meeting

The Committee met on November 17 to consider and adopt this Annual Report. {I will insert the committee vote at this point.}

3. Mr. Rokita's proposals may be founds at <http://www.rethinkingredistricting.com/>

V. COMMITTEE FINDINGS AND RECOMMENDATIONS

The Committee did not make findings of fact.

The Committee did not make recommendations.

WITNESS LIST

Maureen Bard
Office of Census Data
Legislative Services Agency

Cathy McCully, Chief
Census Redistricting Data Office
United States Census Bureau

Senator Mike Delph

Mark Everson, Commissioner
Indiana Department of Administration

Justin Levitt
Brennan Center for Justice

Todd Rokita
Indiana Secretary of State

Julia Vaughn
Common Cause of Indiana

Peter Wattson
Senate Counsel, Secretary of the Senate (Legislative)
State of Minnesota

Senator Michael Young